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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

The *techum* of a city is measured only by an expert (*surveyor*). If one extended the limit at one point more than at another (*for the boundary is measured twice on each side of the city – once from each corner*), the extended limit is observed. [*Since the measuring rope must be stretched to its utmost capacity so as to cover the maximum length possible, it is assumed that the deficiency in the lesser limit is due to all insufficient stretching of the rope.*] If there was a greater distance for one and a lesser distance for another, the greater distance is observed. Furthermore, even a male slave and even a female slave are believed when they say, "This far is the *Shabbos* limit," since the Sages did not enact the law in order to be strict, but in order to be lenient. (58b)

Is 'the extended limit' only observed but not the reduced limit? — Read: Even as far as the extended limit.

IF THERE WAS A GREATER DISTANCE FOR ONE AND A LESSER DISTANCE FOR ANOTHER etc. What need again was there for this rule? Is it not practically identical with the previous one? — It is this that was meant: If one surveyor extended the limit and another reduced it, the one whose limit is the greater is to be obeyed. Abaye added: Provided the extended limit does not exceed the lesser one by more than the difference between the diagonal and a side of the town.

SINCE THE SAGES DID NOT ENACT THE LAW IN ORDER TO ADD RESTRICTIONS BUT IN ORDER TO RELAX THEM. But was it not taught: The Sages did not enact the law in order to relax restrictions but in order to impose them? — Ravina replied. The meaning is: Not to relax restrictions in connection with Biblical laws but to add restrictions to them; the laws of the Shabbos limits, however, are only Rabbinical.[1] (59a)

[*This Mishna deals with shitufei mevo'os - a device that allows carrying between a courtyard and a mavoi, which is accomplished by the courtyards mutual contribution of food.*] If a city that belonged to an individual was converted into one belonging to many, one *eiruv* may be provided for the entire city, but if a city belonged to many, and was converted into one belonging to an individual, no single *eiruv* may be provided for the entire city, unless a section of it of the size of the town of Chadashah in Judea, which contains fifty residents, is excluded; these are the words of Rabbi Yehudah. Rabbi Shimon said: Three courtyards, each of which contained two houses (*is sufficient*). (59a)

How is one to imagine 'a town that belonged to an individual and was converted into one belonging to many'? Rav Yehudah replied: The residential district, for instance, of the Exilarch. Said Rav Nachman to him: What is your reason? If it be suggested: Because many people met at the seat of authority they would remind each other, are not all Israel [it may be objected] assembled together on a Shabbos morning also? — Rather said Rav Nachman: The private town, for instance, of Nattezui.[2] (59a)

The *Gemora* cites a *braisa*: If a city belonging to an individual was converted into one belonging to many, and a public domain passed through it, how is an *eiruv* to be provided for

[1] This is as long as it is possible that the expert who was stringent either measured slightly differently with his rope, or did not take something into account that may have caused his mistake.

[2] A certain individual who owned a town; and the same law applies to any town in private ownership that was converted into one belonging to many.

it? A *lechi* (*sidepost*) or a *korah* (*crossbeam*) is fixed on either side (*where the street enters and leaves the city*), and thereby one is enabled to carry things about in the space between them. [*This applies only to a city that had no wall surrounding it, so that the two ends of the public domain terminated in the open country. Therefore it is only in the case of a town that was originally in private ownership that the adjustments mentioned are sufficient. In the case of one that always belonged to the public, such adjustments are invalid, and all the city's alleys are subject to restrictions similar to those of the public domain, for it is easily confused with an ordinary public domain.*] No *eiruv*, however, may be provided for a half of it, but either one *eiruv* for all of it, or one *eiruv* for each *mavoi* (*alley*) separately. If a city did, and still does belong to many, but had only one gate, a single *eiruv* suffices for all of it.

The *Gemora* asks: Who is it that learned that a public domain may be provided with an *eiruv*? Rav Huna son of Rabbi Yehoshua replied: It is Rabbi Yehudah, for it was taught in a *braisa*: Even more than this did Rabbi Yehudah say: If one has two houses on the opposite sides of a public domain, he can make a *lechi* on one side and a *lechi* on the other side, or a *korah* on one side and a *korah* on the other side, and then he may pick things up and place them down between them. [Evidently, a lechi is regarded as a partition on a Biblical level!] The Sages said to him: A public domain cannot be made fit (*for carrying*) in this manner. (59a – 59b)

The master had stated: No *eiruv* may be provided for half of it. Rav Pappa explained: This was said only in the case where the division was along its length (*if the division was made along the public domain which ran through the entire length of the city, from gate to gate, and divided it into two halves along its length; as the public domain is used by the residents on both sides, it forms a link between the two halves of the city and combines them into one inseparable unit*), but if it was along its width, an *eiruv* may be provided for each half separately. [*It cut the city into two halves across the middle of the public domain and left for either half of the city a half of the public domain with the gate at its end, so that it was possible for the residents of either half to use their own gate as entrance and exit and to avoid entirely the use of the public domain in the other half of the city.*]

The *Gemora* notes that this is contrary to the viewpoint of Rabbi Akiva, for if it were suggested that it was in agreement with his view, the following objection would arise: Did he not rule that a man who is permitted freedom of movement in his own place causes the restriction of free movement on others in a place that is not his? [*In this case, we are referring to the outer courtyard - in which he did not reside, but in which he was entitled to the right of passage by virtue of his residence in an inner courtyard whose one and only door opened out into it. Now, since according to R' Akiva, the residents of the inner courtyard, on account of their right of passage through the outer one, impose restrictions on the free movement of its residents, the residents of the two halves of the city under discussion should likewise, according to R' Akiva, impose upon one another the restrictions of free movement, since each of them is also entitled to a right of passage through the public domain that passed through the other half of the city in which he did not reside. As no such restrictions, however, are imposed, must Rav Pappa's ruling be said to be contrary to R' Akiva's view?*]

The *Gemora* answers: It may be said to be in agreement even with the view of Rabbi Akiva, since he maintained his view only there where it was a case of two courtyards - one of which was behind the other, so that the inner one had no other door, but not here where the inhabitants in the one half could gain egress through one gate while those in the other half could gain egress through the other.

There are those who cited as follows: Rav Pappa explained: It must not be assumed that only where the division was along its length may no *eiruv* be prepared, but that where it was along its width, an *eiruv* may be prepared. The fact is that even where the division was along its width, no *eiruv* may be prepared.

The *Gemora* notes that this is only in agreement with that of Rabbi Akiva. The *Gemora* disagrees and asserts that it may be said to be in agreement even with the view of the Rabbis, since they maintained their view there only where it is a case

of two courtyards - one behind the other, so that the inner one can well lock its gate and use its own area only, but can the public domain here be removed from its place? (59b)

The master had stated: Either one *eiruv* for all of it, or one *eiruv* for each *mavoi* (*alley*) separately. Now why is no separate eiruv allowed for either half? Obviously because they would cause one another to be forbidden; but then would not the various mavois also[3] cause one another to be forbidden? — Here we are dealing with a case where a dakah - barrier[4] was provided,[5] and this ruling is in harmony with the following one that was laid down by Rav Idi bar Avin in the name of Rav Chisda: Any of the residents of a mavoi who had made a barrier to his courtyard entrance can no longer impose any restrictions on the freedom of movement of the other residents of the mavoi. (59b)

BUT IF A TOWN BELONGED TO MANY AND WAS CONVERTED etc. Rabbi Zeira provided an eiruv for Rabbi Chiya's town and left no section out [of its provision]. Said Abaye to him, 'Why did the Master act in this manner?'[6] 'Its elders', the other replied: 'told me that Rabbi Chiya bar Assi used to provide one eiruv for all the town and I have, therefore, concluded that it must have been a town that once belonged to a single owner and was later converted into one belonging to many'. 'The same elders', the first retorted, told me: "It formerly had a rubbish heap on one side";[7] but now that the rubbish heap has been removed the town must be regarded as possessing two gates in which [the preparation of a single eiruv only] is forbidden'. 'I', the other admitted, 'was not aware of this'. (59b)

Rav Ammi bar Adda of Harpania enquired of Rabbah, 'What is the ruling where a town had a ladder on one side and a gate on the other?' — 'Thus', the other replied, said Rav, 'A ladder has the legal status of a door'. 'Do not pay heed to him', exclaimed Rav Nachman, 'thus ruled Rav Adda bar Ahavah in the name of Rav: "A ladder has sometimes the status of a door and sometimes that of a wall". It has the status of a wall as has just been laid down; and it has the status of a door where a ladder is put up between two courtyards in which case the residents, if they wish, may[8] provide only one eiruv,[9] and if they prefer, they may provide two separate eiruvs'.[10]

Could Rav Nachman, however, have made such a statement?[11] Didn't Rav Nachman in fact lay down in the name of Shmuel: If the residents of a courtyard and those of a balcony[12] above it forgot to prepare an eiruv, the latter does not restrict freedom of movement in the former if a barrier, four handbreadths in height, intervened between them, otherwise it does impose a restriction?[13] — Here we are dealing with a case where the balcony was less than ten handbreadths high.[14] But if the balcony was less than ten handbreadths high what is the use of making a barrier? — This is a case where it was enclosed [all along its length] up to

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[3] Since originally when the town belonged to one owner they were allowed free movement between each other.

[4] A person who does not want to join in a *shitufei mevo'os* can avoid forbidding everyone else from joining by making a "*dakah*" in the opening of his yard to the *mavoi*. Making the "*dakah*" shows that he is separating himself from having anything to do with this *mavoi*. [*According to Rashi a dakah is a low entranceway, and according to Tosfos, it is a small platform (on the floor of the entranceway) four handbreadths high.*]

[5] For the entrance to each mavoi, the residents thereby indicating that they desired to sever all connection between their previously united mavois.

[6] Sc. why did he not exclude at least a section of the size of the town of Hadashah?

[7] As the heap blocked up one of the gates all the town, which was thus left with one gate only, could well be provided with a single eiruv.

[8] As in the case of two courtyards between which a door communicated.

[9] For both courtyards; and all the residents are, thereby, permitted to use both courtyards by way of the trip of the wall or through any holes or cracks in the wall.

[10] One for each courtyard, and the residents of the one do not in any way affect the freedom of movement of the other, each courtyard being regarded as a separate domain.

[11] That a ladder has the status of a wall where such status leads to a relaxation of the law.

[12] Marpeset, a balcony or gallery to which the doors of the dwellings of an upper story open and which communicates with the courtyard below by means of a ladder.

[13] As if the ladder were a proper door communicating between the balcony above and the courtyards below. From this it follows that, according to Rav Nachman, a ladder has the status of a door where such status leads to a restriction of the law; how then could it be said supra that he held a ladder to have the status of a wall where the law is thereby relaxed?

[14] It is in such a case only that a ladder cannot be regarded as a wall whereby the law might be relaxed.

ten cubits, so that if it was provided with a barrier they may be deemed to be entirely removed from there.[15]

Rav Yehudah citing Shmuel ruled: If a wall was lined with ladders, even though they extended to a greater length than ten cubits, it nevertheless retains the status of a wall.[16] Rav Beruna pointed out to Rav Yehudah the following incongruity at the schoolhouse of Rabbi Chanina: Could Shmuel have ruled that 'it nevertheless retains the status of a wall', seeing that Rav Nachman citing Shmuel ruled: If the residents of a balcony and those of a courtyard forgot to prepare a joint eiruv they do not impose any restrictions upon one another if there was a barrier of four handbreadths between them, otherwise they do impose restrictions upon one another?[17] — Here we are dealing with a case where the balcony was less than ten handbreadths high. But if the balcony is 'less than ten handbreadths high' what is the use of making a barrier? This is a case where it was enclosed [all along its length] up to ten cubits, so that if a barrier is provided they may be deemed to be completely removed from that place. (59b – 60a)

INSIGHTS TO THE DAF

Leniencies by Techum

The Gemora quoted above gives two cases where we have two possible measurements to follow regarding the *techum* of a city. In both cases, we rule that one may follow the lenient measurement.

The Ritva points out the novelty of this ruling. It is true that we say that in a case where there is a doubt in Rabbinic law, one is allowed to be lenient. However, when one has the ability to check whether the law is one way or the other, he must do so and not be lenient, even in Rabbinic law. The Ritva explains that when our Gemora says that we are lenient in *techumin*, it means that being that it is difficult to measure the *techum* again, one is allowed to rely on the lenient opinion and does not have to commission another measuring of the *techum*.

DAILY MASHAL

At the beginning of the Daf Yomi cycle, a certain Jew from the Bayit Vegan neighborhood in Yerushalayim began attending a local Daf Yomi shiur. Each day, he would bring his own Maseches Berachos from his set of Shas. Like many others, he felt attached to his own seforim, and preferred using them, as opposed to the Gemaros that were available in shul. As they approached the conclusion of Berachos and the beginning of Shabbos, he was reminded of the unfortunate absence of Maseches Shabbos from his Shas. He had lost it sixteen years earlier in a cab. His many attempts to locate the cab driver were fruitless, and he long ago abandoned any hope of recovering the Gemara.

Then, on the twenty-fifth of Nissan, the day before Daf Yomi began Maseches Shabbos, he received a telephone call from a person who had found his Gemara just that morning in the Zupnik shul in Givat Shaul. The finder had never seen the Gemara before, and took notice of it as he was davening Shacharis. He noted the name and telephone number, and fulfilled the mitzva of returning a lost object, whose sentimental value was far greater than its monetary worth.

The contributor of this letter was the son of the Daf Yomi student in this story. He concluded his letter by writing, "I don't mean to suggest this story as a wondrous miracle or sign from the Heavens. I simply wished to show the great love and attachment between those who learn Gemara and their beloved *seforim*."

[15] I.e., the residents of the balcony and courtyard respectively may be deemed as having withdrawn themselves from the use of each other's domain. In the absence of such a barrier, however, the balcony, owing to its close proximity to the courtyard below, and its two cubits doorway, must inevitably be regarded as forming one domain with that courtyard even though the law must be restricted as a consequence.

[16] The ladders, though they afford access from one courtyard into the other, are not necessarily regarded as a breach of more than ten cubits that causes the two courtyards to be regarded as one requiring a joint eiruv, but can also be treated, if it is so desired, as a wall separating the two domains necessitating an eiruv for each domain.

[17] Since the height of the balcony was not stated the ruling presumably applies also to one that was ten handbreadths high and that had the status of a wall; which shows that a ladder (the usual means of communication between balcony and courtyard) does deprive a wall of its status and imparts to it the character of one that has a door in it.